

STAFF REPORT

June 6, 2002

No. 02SV026 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk, curb and gutter, street lights, dry sewer and water mains as regulated by Section 16.16 of the Subdivision Regulations on 143rd Street and Country Road

ITEM 49

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers for the North Haines Volunteer Fire Department
REQUEST	No. 02SV026 - Variance to the Subdivision Regulations to waive the requirement to install sidewalk, curb and gutter, street lights, dry sewer and water mains as regulated by Section 16.16 of the Subdivision Regulations on 143rd Street and Country Road
EXISTING LEGAL DESCRIPTION	GL 4 less ROW; the unplatted balance of the SE1/4 SW1/4; the unplatted balance of the S1/2 SE1/4, Section 18, T2N, R8E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1, North Haines II Subdivision, located in the SE1/4 SE1/4 of Section 18, T2N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.07 acres
LOCATION	At the intersection of Country Road and 143rd Street
EXISTING ZONING	General Agriculture District (County)
SURROUNDING ZONING	
North:	General Agriculture District (County)
South:	Limited Agriculture District (County)
East:	Limited Agriculture District (County)
West:	General Agriculture District (County)
PUBLIC UTILITIES	Well and septic system
DATE OF APPLICATION	05/08/2002
REPORT BY	Lisa Seaman

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk, curb and gutter, street lights, dry sewer and water mains as regulated by Section 16.16 of the Subdivision Regulations on 143rd Street and Country Road be approved

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with the stipulation that the applicant sign a waiver of right to protest agreement for the required improvements.

GENERAL COMMENTS: The applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalks, street light conduit, dry sewer and water along Country Road and 143rd Street where they abut the subject property. The applicant has also submitted a Layout Plat to subdivide an approximately two acre parcel out of a 150 acre parcel. (See companion item #02PL046.) The property is located in the northwest quadrant of the intersection of Country Road and 143rd Street and is the future location of the North Haines Volunteer Fire Department fire station. The property is located within Rapid City's three-mile platting area.

STAFF REVIEW:

Staff has reviewed the Variance to the Subdivision Regulations request and has noted the following considerations:

Curb and Gutter: Currently, none of the streets in the area have curb and gutter. A major reason for the requirement for the installation of curb and gutter is to provide adequate facilities for storm water run off and drainage. The Engineering Division has indicated that the current paved road with gravel shoulders and a ditch adequately accommodates storm water runoff and drainage. However, any proposed site grading must allow for appropriate elevations to ensure that the existing ditch will adequately handle the storm water and that future road improvements can be constructed with a minimal impact on drainage.

Sidewalks: The proposed lot is relatively large and are more reflective of a rural level of density. None of the roads in this area have sidewalks. The Planning Commission and the City Council have supported variances to allow rural section roads for other subdivisions in this area when the road surface is paved. Staff supports the variance waiving the requirement for sidewalks.

Water Line and Dry Sewer: The extension of water lines and dry sewers are required by the City's Subdivision Regulations as part of any plat where central water and sewer services are not already available. The proposed subdivision is located outside of the existing City water and sewer service area. Dry sewers are sanitary sewer mains installed as development occurs but in advance of there being central sewer service available to the property. At some future point in time the lines can be "activated" when sanitary sewer service becomes available to the property. The City does not have specific sewer plans in place in this area to allow the lines to be designed and constructed properly. As such, it is not currently feasible to require the installation of dry sewer for one lot at this location. Therefore, staff supports the variance to waive the requirement for the installation of water lines and dry sewer if a waiver of right to protest is signed. It should be noted that such an agreement can only be called upon if the property is annexed into the City in the future.